



HERRIMAN CITY PLANNING COMMISSION MEETING MINUTES

Thursday, December 4, 2014

Approved December 18, 2014

[6:07:04 PM](#) **6:00 P.M. Work Meeting**

Attendance

Planning Commission Members:

Chris Berbert
Jeramy Burkinshaw
Wayne Hill
Adam Jacobson
Jessica Morton
Robyn Shakespear
Clint Smith

Council Members:

Mike Day, Mayor Freeman

City Staff:

Bryn McCarty, City Planner
Sandra Llewellyn, Planning Administrative Coordinator
Heather Upshaw, Planner III
Cindy Quick, Deputy Recorder
Brett geo. Wood, City Manager
Gordon Haight, Assistant City Manager
Blake Thomas, City Engineer
John Brems, City Attorney

[6:07:33 PM](#) Chair Clint Smith began a discussion regarding public comment. He would like to set clear parameters to keep the meeting moving efficiently. There are times where public comment does not seem appropriate.

Turns time over to John Brems, City Attorney who expresses that it's good to allow public comment but there are times that not allowing public comment would be appropriate as well. If the commission decides to enforce a time limit, it should be enforced all of the time, for every single person.

Planning Commission desires to have a time limit on comments. They discussed ideas about how to monitor/control the time limit and ways to provide more detail in postings. Comments regarding items being continued and whether or not public comment is needed ensued. Mayor Freeman encouraged an officer to be present at each planning commission meeting.

City Planner, Bryn McCarty discusses Oak Hollow. Property Owner mentions that Phase 1 is already recorded and platted. Phase 2 was approved but was never recorded. He takes opportunity to describe some changes he'd like to make to the area and a lengthy discussion resulted.

City Planner, Bryn McCarty reviews tonight's agenda. The first item 2.1 is Holiday Oil on Rose Canyon Road and Jerry Wagstaff will be here tonight with elevations. Regarding the daycare (item 2.2), planning commission conditions limit this daycare to 8 kids. The state allows 8 children per employee, but ordinance does not allow employees. The Wal-Mart sign (item 2.3) needs to have spots for multiple tenants. The sign is 10' 10" and it will be placed on 13400 S and 5000 W. The sign on 5000 W is the same as the one on 13400 S. Trevor Hull's subdivision (item 2.4) is on for public hearing tonight. The subdivision conditions were reviewed. Ben Johnson's subdivision (item 2.5) was approved 4 or 5 years ago. The special home occupations are for 2 years, his expired and he never renewed it. We've received some complaints and so he is back to discuss it with you tonight.

City Planner, Bryn McCarty briefly discussed the Bowler subdivision explaining that they are working on completing a lot of studies that are needed before they bring the subdivision back for approval.

[6:50:06 PM](#) Work Meeting Adjourned

[7:01:12 PM](#) 7:00 P.M. ~ Regular Planning Commission Meeting

Attendance
Planning Commission Members:

- Chris Berbert
- Jeremy Burkinshaw
- Wayne Hill
- Adam Jacobson
- Jessica Morton
- Robyn Shakespear
- Clint Smith
- Wade Thompson

Council Members: Mike Day, Mayor Freeman, Coralee Wessman-Moser

City Staff: Bryn McCarty, City Planner
Sandra Llewellyn, Planning Administrative Coordinator
Heather Upshaw, Planner III
Cindy Quick; Deputy Recorder
Brett geo. Wood, City Manager
Gordon Haight, Assistant City Manager
Blake Thomas, City Engineer
John Brems, City Attorney

Guests: Please see the attendance sign in sheet.

1. GENERAL BUSINESS:

Chair Smith welcomes those in attendance.

1.1 [7:01:37 PM](#) Reverence / Thought: [Sherrie Ohm](#)

1.2 [7:02:33 PM](#) Pledge of Allegiance: [Mike Day](#)

1.3 [7:03:07 PM](#) Roll call: Full Quorum, Blayde Hamilton absent

1.4 [7:03:13 PM](#) Approval of Minutes for: **November 20, 2014**

Commissioner Robyn Shakespear **MOVES** to approve the minutes for November 20, 2014.

Commissioner Jessica Morton **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Adam Jacobson	Yes
Commissioner Jessica Morton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

2. **REGULAR AGENDA:**

2.1 [7:03:36 PM](#) **41C12** – Wagstaff Investments – 13389 S Rose Canyon Road – Review of Holiday Oil Elevations – Zone: C-2 – Acres: 1.71

City Planner, Bryn McCarty reminds commission that the site has already been approved; tonight they are just approving elevations.

Scott Wagstaff presented photos to the commission showing the elevations. This is the preferred elevation. He responds that the car wash is on the south side and has the same brick exterior. The location on 11800 S 5400 W, and the one on Rosecrest is identical to this plan. The roof color is red, the same as the one on 11800 S. The roof on the car wash is red as well. The gas pumps have a canopy.

A brief discussion amongst commission about the elevation took place. Commissioner Robyn Shakespear and Jessica Morton express a desire for a darker roof, not red. Consensus of the commission was for the applicant to provide complete elevations of the building, the canopy and the car wash.

Commissioner Jeremy Burkinshaw **MOVES** to continue this item until the applicant can provide scaled elevations of all the building elements, including the convenience store, the canopy and the car wash; including exterior building materials.

Commissioner Adam Jacobson **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Adam Jacobson	Yes
Commissioner Jessica Morton	No
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

This item will be continued for two weeks until December 18, 2014.

2.2 [7:13:17 PM](#) [46C14](#) – Sanchez – 11811 S Ticaboo Mine Rd – Proposed Home Occupation/Daycare Zone: R-1-10 (*Continued from November 20, 2014*)

City Planner, Bryn McCarty explained that this is a conditional use and that neighbors were notified. Several complaints were heard at the last meeting; however the applicant wasn't here so we are seeing it again.

Raphael Sanchez, 11811 S. Ticaboo Mine Road, was not aware that he should have been at the meeting and was unaware of the complaints.

Chair Clint Smith informed Raphael Sanchez that the biggest concern was safety; due to the busy street and his home being right on the corner. There were concerns of traffic for this daycare and on-street parking during pick-up and drop-off time.

Raphael Sanchez responds that very rarely are there two cars dropping off at one time. He feels parents are always very careful and he has not had an issue so far. He affirmed that he will emphasize to parents to be very careful when dropping off their children. He also remarked that he will provide drop-off in the driveway so it is not done in the street.

City Planner, Bryn McCarty detailed requirements for the number of children allowed at this daycare, per ordinance and commented that is up to the commission if they would like to allow 16 children because his wife would be care taker as well.

Discussion amongst commission ensued.

Commissioner Adam Jacobson **MOVES** to approve this item with an adjustment to number six to allow no on-street parking, drop off, pickup or vehicles tied to the business for the home. Drop off should be on the property and the maximum children should be eight and review upon complaint.

Commissioner Wayne Hill **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Adam Jacobson	Yes
Commissioner Jessica Morton	Yes
Commissioner Robyn Shakespear	No
Commissioner Wayne Hill	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

2.3 [7:25:15 PM](#) [49C14](#) – LK Architecture, Inc – 5108 W 13400 S – Proposed Monument Sign for the Walmart Neighborhood Market – Zone: MU-2

City Planner, Bryn McCarty reminds commission and audience members that this ordinance was changed to allow a larger sign for commercial businesses, the maximum height can be 15 feet, and they must provide a spot for tenants on the sign. This sign will be on 13400 South and another one on 5000 West, same sign on both streets. It's about 10 to 11' tall.

Duong Bach, LK Architecture, Wichita, Kansas, informed the commission that this proposal will leave the top open, without brick, which will allow the sign to be taller if additional tenants move in; allowing for growth in the future. He does comment that the sign will be constructed with brick, just not at the top.

A brief discussion about the amount of possible tenants for this sign took place.

Commissioner Chris Berbert **MOVES** to approve this item with staff requirements and add a fourth one saying if they change the height of the sign or add more tenants than are currently on the sign that they will need to come back for additional approval.

Commissioner Jessica Morton **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Adam Jacobson	Yes
Commissioner Jessica Morton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

2.4 [7:32:04 PM](#) **19S14** – Hull – 13841 S 7300 W – Proposed Subdivision of Single Family Lots Acres: 32.9 – Zone: A-1 – Units: 85 (**PUBLIC HEARING**)

City Planner, Bryn McCarty reminds commission that they did recommend the 8.25 with a zoning condition of 2.6 units per acre. The council will decide on that next week. This is not a PUD but they will still do open space. Road improvements on 7530 West will be required in order to meet the fire requirements. Fencing will be required along the south, along the park and along the east side; agricultural fencing on the high country side. The park layout is shown.

Trevor Hull, 558 Pumpkin Patch Drive, Saratoga Springs, feels this is a collaborative effort with staff and the developer to keep with a minimum lot size and still allow for open space. He reports that he is in full agreement with staff and all requirements.

Commissioner Wayne Hill asks for information about the existing driveway. City Planner, Bryn McCarty explains that the existing home can maintain the driveway.

Chair Clint Smith appreciates the collaborative effort and appreciates the work done.

[7:35:57 PM](#) Chair Smith opens the meeting for public comment and calls for any citizen who wishes to speak to come to the podium, fill out a comment form and state their name and address for the record; he asks comments to be limited to two or three minutes.

Citizen Comments:

Sherrie Ohrn, 13892 S 7800 W, feels like more people should have been notified about this proposal out of courtesy. She is confused about the density for this development and feels that the park is really just a detention pond which is already required. She questions why this subdivision is agricultural and reads from the code regarding family food production. She feels concerned that these residents will be able to keep two cows, two sheep and chickens on such a small lot. She feels like this should be put off until citizens have an opportunity to speak with their elected officials.

Stephen Olschewski, 14050 S 7570 W, informs the commission that his property borders this proposed subdivision and he is curious about the fencing requirements. The response was one side would have a six foot vinyl fence. Stephen Olschewski explains that he is worried about having animals next to this subdivision and is concerned about the density.

Val Steadman, 12964 S 5900 W, feels like the commission needs to stand up to property owners and have an area where we maintain larger lots.

Nathan Beagley, 7538 W, explains that his father owns property next to this development. He asks the commission why they feel that this is what the community needs. He is concerned with traffic issues due to this development.

7:49:45 PM Chair Smith closes public comment.

Discussion amongst the planning commission ensued. Consensus was to wait until the council made a decision on the zoning.

Commissioner Chris Berbert **MOVES** to continue this item indefinitely.

Commissioner Jeremy Burkinshaw **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Adam Jacobson	Yes
Commissioner Jessica Morton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

2.5 7:54:17 PM **48C14** – Johnson – 5937 W 12900 S – Proposed Home Occupation of Equipment Storage – Acres: .47 – Zone: A-.25

City Planner, Bryn McCarty explains that this home occupation is in an agricultural zone which allows them to have employees and outside storage.

Ben Johnson, 5937 W 12900 S, explains that his proposal is for six trailers, three dump trucks, back hoe and track hoe. He starts at 7:00am and is usually back by 5:00pm. He reports that he has been doing this business for 20 years now.

Chair Smith allows public comment.

Rob Thomas, 12877 S 6000 W, is concerned for his small children because there is no sidewalk. He would like Ben Johnson to be required to put in some infrastructure.

Genae Welch, 5953 W 12900 S, explains that the trucks used for this business are on Ben Johnson's lot, not on the road. Ben Johnson has been great to keep his stuff on his own property; he just wants to continue parking his rigs on his own lot. He is very conscious about when he's working and moving his rigs around and works well with his neighbors.

Val Steadman agrees that Ben Johnson does keep his trucks clean. Val Steadman expresses that he is easy to talk to and he is conscious about people around him.

Chair Smith asks applicant to respond to the concerns expressed.

Ben Johnson comments that he would be willing to exit out the main street instead of going down the school route. He does his work off site.

Brief discussion amongst commission ensued.

Commissioner Adam Jacobson **MOVES** to approve this item with staff recommendations.

Commissioner Chris Berbert **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Adam Jacobson	Yes
Commissioner Jessica Morton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

3. **NEW ITEMS OF SUBSEQUENT CONSIDERATION (OTHER):**

None

4. **ADJOURNMENT:**

Chair Clint Smith calls for a motion to adjourn.

Commissioner Jessica Morton **MOVES** to adjourn the meeting and the motion passed unanimously.

Meeting adjourned at 8:06:37 PM .

5. **FUTURE MEETINGS:**

5.1 City Council Meeting - Wednesday, **December 10, 2014** @ 7:00 PM

5.2 Planning Commission Meeting - Thursday, **December 18, 2014** @ 7:00 PM

I, Cindy Quick, Deputy Recorder of Herriman City hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on December 4, 2014. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.


Cindy Quick, Deputy Recorder